Exhibit B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BILL HENDRICKS and AUBREY B. STACY,	§	
	§	
Plaintiffs,	§	
	§	
V.	§	Civil Action No. 2:12-CV-00606
	§	
UBS FINANCIAL SERVICES, INC.	§	
	§	
Defendant.	§	

PLAINTIFF, AUBREY B. STACY'S, FIRST AMENDED ANSWERS
TO FIRST SET OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Aubrey B. Stacy, hereby provides the following first amended answers to Defendant's first set of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and, where indicated below, provided input based on information and documents of which counsel for Plaintiffs have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Morgan Stanley
201 Main Street
Suite 1500
Fort Worth, Texas 76102
817-870-1797

I was formerly a branch manager of Defendant, between May 1998 and December 2010, and am currently employed by Morgan Stanley. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Branch Managers (the "Plan") by the making of deferrals thereunder and then forfeiture of certain amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I am also aware of the persons and documents referred to in my deposition. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action, including Defendant's characterization of the Plan as a retirement plan. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. Plaintiffs' counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and other documents produced by Defendant in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. Plaintiffs' counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint and the subject matter of this action identified in documents produced by other Plaintiffs and Defendant, and in the deposition of Plaintiff, Mark T. Eddingston, taken in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or

communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

Other than the conversation that I had with John Ellspermann in mid-2001, referenced in my deposition and a subsequent conversation with P. Charles Elldemire regarding the nature of this action, I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3 or discussions referred to in my deposition.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I attached a copy of the forfeiture calculation to my previous answers.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or

defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

I am aware, through counsel, that Defendant has subpoenaed Lisa Cregan, Gill Saenz, Pat Mendenhall, and John Ellspermann to testify in this case and that Defendant is going to depose Pat Mendenhall and John Ellspermann and that it is likely that these depositions will produce documents or information that Plaintiffs may use in this action and in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. With regard to Lisa Cregan, who has been interviewed by Plaintiffs' counsel Brian Bro preparatory for her deposition, Defendant has recently made a decision not to depose her and is instead going to interview Lisa Cregan and prepare a declaration for her to sign. If Plaintiffs' counsel believes that the UBS declaration is incomplete, counsel believe that Lisa Cregan will also sign a declaration prepared by Plaintiffs' counsel to make her declaration complete. With regard to Gil Saenz, who probably also has information about PartnerPlus, Defendant has recently said that it was not at the present time going to depose Gil Saenz.

Plaintiffs' counsel is aware that William Finnegan, who works for Morgan Stanley, who used to be a branch manager in The Woodlands, Texas, received all of his PartnerPlus monies and was not required to sign a standard covenant not to compete to get all of his PartnerPlus monies. Such counsel are also aware, that Louie Poulin, a former UBS branch manager in New York, probably also received all of his PartnerPlus monies, without having to sign a covenant not to compete and that Jonathan Heller, a former UBS branch manager in Pittsburgh, Pennsylvania, received all of his PartnerPlus monies after signing a covenant not to compete, but was allowed to compete with Defendant as if he had not signed a covenant not to compete, after being told that "he was part of a special group that were being terminated by Defendant, who did not have to sign covenants not to compete to get all of their PartnerPlus monies and that even if they had signed covenants not to compete, they could compete with UBS because their termination was not their fault because of a change in UBS firm strategy."

The business address and telephone numbers of the individuals identified are as follows:

a. William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

b. Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

c. Louie Poulin
New York, New York

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5 and may include any communications and documents identified at my deposition. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. Plaintiffs' counsel is aware that Mr. Levitan made multiple

admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced by Plaintiffs' concurrently with these Amended Answers. Also, I have testified in my deposition and Mark T. Eddingston has testified in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action to admissions or statements against interest of Defendant. Additionally, Defendant's officers, agents, managers, or employees dealing with William Finnegan, Jonathan G. Heller, and Louis Poulin probably made admissions or declarations against interest, but discovery regarding this matter is incomplete and neither me, nor Plaintiffs' counsel, currently know who these people were or exactly what they said.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify themselves and the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Accounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

(w) William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

(x) Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

(y) Louie Poulin
New York, New York

(z) Patrick Mendenhall
USCA Securities, LLC
1330 Post Oak Boulevard, Suite 900
Houston, Texas 77056

(aa) Frank Moroni
118 Gale
River Forest, Illinois 60305

(ab) John Ellspermann
4520 Main Street, 8th Floor
Kansas City, Missouri 64111

(ac) Frank Roccisano
Morgan Stanley
4969 US Highway 42
Louisville, Kentucky 40222
502-394-4030

(ad) Jean Neustadt
1330 Post Oak Blvd.
Houston, Texas 77056

(ae) P. Charles Eldemire
8333 Douglas Avenue, Suite 400
Dallas, Texas 75225

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

I declare under penalty of perjury that the foregoing first amended answers to first set of interrogatories propounded by Defendant is true and correct.

5-16-13
Date

Aubrey B. Stacy

Respectfully submitted,

Robert E. Goodman, Jr., Lead Attorney
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reg@kilgorelaw.com
Theodore C. Anderson
State Bar No. 01215700
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McKool Smith, PC
104 East Houston Street, Suite 300
Marshall, Texas 75670
(903) 923-9000; (903) 923-9099 (telecopy)

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 17th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

Eugene Scalia	escalia@gibsondunn.com
Paul Blankenstein	pblankenstein@gibsondunn.com
Gibson Dunn	
1050 Connecticut Avenue, NW	
Washington, D.C. 20036-5306	

Charles C. Jackson	charles.jackson@morganlewis.com
Deborah S. Davidson	ddavidson@morganlewis.com
Andrew Scroggins	ascroggins@morganlewis.com
Morgan Lewis & Bockius, LLP	
77 West Wacker Drive	
Chicago, Illinois 60601	

Ira G. Rosenstein	irosenstein@morganlewis.com
Samuel S. Shaulson	sshaulson@morganlewis.com
Morgan Lewis & Bockius, LLP	
101 Park Avenue	
New York, New York 10178-0060	

Ellen LeGrand Perlioni	ellen.perlioni@morganlewis.com
Morgan Lewis & Bockius, LLP	
1717 Main Street	
Dallas, Texas 75201	

Lawrence Augustine Phillips	larryphillips@siebman.com
Siebman, Burg, Phillips & Smith, LLP	
300 North Travis Street	
Sherman, Texas 75090	

Michael C. Smith	michaelsmith@siebman.com
Siebman, Burg, Phillips & Smith, LLP	
113 East Austin Street	
Marshall, Texas 75671	

Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MARK T. EDDINGSTON,	§	
JEFFERY M. DAVIS,	§	
ELRIDGE NICHOLAS BOLLICH	§	
and RAY A. COX	§	
	§	
Plaintiffs,	§	Civil Action No. 2:12-CV-00422
	§	
v.	§	
	§	
UBS FINANCIAL SERVICES, INC.,	§	
	§	
Defendant.	§	**JURY TRIAL DEMANDED**

PLAINTIFF, JEFFERY M. DAVIS', FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Jeffery M. Davis, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and, where indicated below, provided input based on information and documents of which counsel for Plaintiffs have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Morgan Stanley
5001 Spring Valley Road
Suite 900W
Dallas, Texas 75244
972-774-6720

I was formerly a financial advisor of Defendant, between December 1998 and January 2009, and am currently employed by Morgan Stanley. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of certain amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action, including Defendant's characterization of the Plan as a retirement plan. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. Plaintiffs' counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and other documents produced by Defendant in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action. Plaintiffs' counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint and the subject matter of this action identified in documents produced by other Plaintiffs and Defendant, and in the deposition of Plaintiff, Aubrey B. Stacy, taken in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or

communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I attached a copy of the forfeiture calculation to my pervious answers.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

I am aware, through counsel, that Defendant has subpoenaed Lisa Cregan, Gill Saenz, Pat Mendenhall, and John Ellspermann to testify in this case and that Defendant is going to depose Pat Mendenhall and John Ellspermann and that it is likely that these depositions will produce documents or information that Plaintiffs may use in this action and in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. With regard to Lisa Cregan, who has been interviewed by Plaintiffs' counsel Brian Bro preparatory for her deposition, Defendant has recently made a decision not to depose her and is instead going to interview Lisa Cregan and prepare a declaration for her to sign. If Plaintiffs' counsel believes that the UBS declaration is incomplete, counsel believe that Lisa Cregan will also sign a declaration prepared by Plaintiffs' counsel to make her declaration complete. With regard to Gil Saenz, who probably also has information about PartnerPlus, Defendant has recently said that it was not at the present time going to depose Gil Saenz.

Plaintiffs' counsel is aware that William Finnegan, who works for Morgan Stanley, who used to be a branch manager in The Woodlands, Texas, received all of his PartnerPlus monies and was not required to sign a standard covenant not to compete to get all of his PartnerPlus monies. Such counsel are also aware, that Louie Poulin, a former UBS branch manager in New York, probably also received all of his PartnerPlus monies, without having to sign a covenant not to compete and that Jonathan Heller, a former UBS branch manager in Pittsburgh, Pennsylvania, received all of his PartnerPlus monies after signing a covenant not to compete, but was allowed to compete with Defendant as if he had not signed a covenant not to compete, after being told that "he was part of a special group that were being terminated by Defendant, who did not have to sign covenants not to compete to get all of their PartnerPlus monies and that even if they had signed covenants not to compete, they could compete with UBS because their termination was not their fault because of a change in UBS firm strategy."

The business address and telephone numbers of the individuals identified are as follows:

a. William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

b. Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

c. Louie Poulin
New York, New York

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. Plaintiffs' counsel is aware that Mr. Levitan made multiple

admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced by Plaintiffs' concurrently with these Amended Answers. Also, Mark T. Eddingston has testified in this action and Aubrey B. Stacy has testified in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action to admissions or statements against interest of Defendant. Additionally, Defendant's officers, agents, managers, or employees dealing with William Finnegan, Jonathan G. Heller, and Louis Poulin probably made admissions or declarations against interest, but discovery regarding this matter is incomplete and neither me, nor Plaintiffs' counsel, currently know who these people were or exactly what they said.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify themselves and the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Accounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

(w) William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

(x) Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

(y) Louie Poulin
New York, New York

(z) Patrick Mendenhall
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1330 Post Oak Boulevard, Suite 900
Houston, Texas 77056

(aa) Frank Moroni
118 Gale
River Forest, Illinois 60305

(ab) John Ellspermann
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Kansas City, Missouri 64111

(ac) Frank Roccisano
Morgan Stanley
4969 US Highway 42
Louisville, Kentucky 40222
502-394-4030

(ad) Jean Neustadt
1330 Post Oak Blvd.
Houston, Texas 77056

(ae) P. Charles Eldemire
8333 Douglas Avenue, Suite 400
Dallas, Texas 75225

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

I declare under penalty of perjury that the foregoing first amended answers to first and second sets of interrogatories propounded by Defendant is true and correct.

____
Date

____
Jeffery M. Davis

Respectfully submitted,

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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 17th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

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113 East Austin Street
Marshall, Texas 75671

Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MARK T. EDDINGSTON,	§	
JEFFERY M. DAVIS,	§	
ELRIDGE NICHOLAS BOLLICH	§	
and RAY A. COX	§	
	§	
Plaintiffs,	§	Civil Action No. 2:12-CV-00422
	§	
v.	§	
	§	
UBS FINANCIAL SERVICES, INC.,	§	
	§	
Defendant.	§	**JURY TRIAL DEMANDED**

PLAINTIFF, MART T. EDDINGSTON'S, FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Mark T. Eddingston, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and, where indicated below, provided input based on information and documents of which counsel for Plaintiffs have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Morgan Stanley
4055 Dowlen Road
Beaumont, Texas 77706
409-899-9780

I was formerly a financial advisor of Defendant, between January 1991 and August 2008, and am currently employed by Morgan Stanley. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of certain amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I am also aware of the persons and documents referred to in my deposition. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action, including Defendant's characterization of the Plan as a retirement plan. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. Plaintiffs' counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and other documents produced by Defendant in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action. Plaintiffs' counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint and the subject matter of this action identified in documents produced by other Plaintiffs and Defendant, and in the deposition of Plaintiff, Aubrey B. Stacy, taken in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or

communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3 or discussions referred to in my deposition.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I attached a copy of the forfeiture calculation to my previous answers.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

I am aware, through counsel, that Defendant has subpoenaed Lisa Cregan, Gill Saenz, Pat Mendenhall, and John Ellspermann to testify in this case and that Defendant is going to depose Pat Mendenhall and John Ellspermann and that it is likely that these depositions will produce documents or information that Plaintiffs may use in this action and in the related Hendricks, et al. v. UBS Financial Services, Inc. action. With regard to Lisa Cregan, who has been interviewed by Plaintiffs' counsel Brian Bro preparatory for her deposition, Defendant has recently made a decision not to depose her and is instead going to interview Lisa Cregan and prepare a declaration for her to sign. If Plaintiffs' counsel believes that the UBS declaration is incomplete, counsel believe that Lisa Cregan will also sign a declaration prepared by Plaintiffs' counsel to make her declaration complete. With regard to Gil Saenz, who probably also has information about PartnerPlus, Defendant has recently said that it was not at the present time going to depose Gil Saenz.

Plaintiffs' counsel is aware that William Finnegan, who works for Morgan Stanley, who used to be a branch manager in The Woodlands, Texas, received all of his PartnerPlus monies and was not required to sign a standard covenant not to compete to get all of his PartnerPlus monies. Such counsel are also aware, that Louie Poulin, a former UBS branch manager in New York, probably also received all of his PartnerPlus monies, without having to sign a covenant not to compete and that Jonathan Heller, a former UBS branch manager in Pittsburgh, Pennsylvania, received all of his PartnerPlus monies after signing a covenant not to compete, but was allowed to compete with Defendant as if he had not signed a covenant not to compete, after being told that "he was part of a special group that were being terminated by Defendant, who did not have to sign covenants not to compete to get all of their PartnerPlus monies and that even if they had signed covenants not to compete, they could compete with UBS because their termination was not their fault because of a change in UBS firm strategy."

The business address and telephone numbers of the individuals identified are as follows:

a. William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

b. Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

c. Louie Poulin
New York, New York

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5 and may include any communications and documents identified at my deposition. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. Plaintiffs' counsel is aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS

Financial Services, Inc. action containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced by Plaintiffs' concurrently with these Amended Answers. Also, I have testified in my deposition and Aubrey B. Stacy has testified in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. to admissions or statements against interest of Defendant. Additionally, Defendant's officers, agents, managers, or employees dealing with William Finnegan, Jonathan G. Heller, and Louis Poulin probably made admissions or declarations against interest, but discovery regarding this matter is incomplete and neither me, nor Plaintiffs' counsel, currently know who these people were or exactly what they said.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify themselves and the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Accounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

(w) William Finnegan
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5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

(x) Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

(y) Louie Poulin
New York, New York

(z) Patrick Mendenhall
USCA Securities, LLC
1330 Post Oak Boulevard, Suite 900
Houston, Texas 77056

(aa) Frank Moroni
118 Gale
River Forest, Illinois 60305

(ab) John Ellspermann
4520 Main Street, 8th Floor
Kansas City, Missouri 64111

(ac) Frank Roccisano
Morgan Stanley
4969 US Highway 42
Louisville, Kentucky 40222
502-394-4030

(ad) Jean Neustadt
1330 Post Oak Blvd.
Houston, Texas 77056

(ae) P. Charles Eldemire
8333 Douglas Avenue, Suite 400
Dallas, Texas 75225

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

I declare under penalty of perjury that the foregoing first amended answers to first and second sets of interrogatories propounded by Defendant is true and correct.

5/12/13
Date

Mark T. Eddingston

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Theodore Stevenson, III
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tstevenson@mckoolsmith.com
Jennifer L. Truelove
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McKool Smith, PC
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(903) 923-9000; (903) 923-9099 (telecopy)

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 17th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

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Marshall, Texas 75671

Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MARK T. EDDINGSTON,	§	
JEFFERY M. DAVIS,	§	
ELRIDGE NICHOLAS BOLLICH,	§	
and RAY A. COX	§	
	§	
Plaintiffs,	§	Civil Action No. 2:12-CV-00422
	§	
v.	§	
	§	
UBS FINANCIAL SERVICES, INC.,	§	
	§	
Defendant.	§	**JURY TRIAL DEMANDED**

PLAINTIFF, ELRIDGE NICHOLAS BOLLICH, FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Elridge Nicholas Bollich, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and, where indicated below, provided input based on information and documents of which counsel for Plaintiffs have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her

knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Southwest Securities, Inc.
3 Riverway
Suite 1400
Houston, Texas 77056

I was formerly a financial advisor of Defendant, between June 1997 and May 2009, and am currently employed by Southwest Securities, Inc. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of certain amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action, including Defendant's characterization of the Plan as a retirement plan. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. Plaintiffs' counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and other documents produced by Defendant in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action. Plaintiffs' counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint and the subject matter of this action identified in documents produced by other Plaintiffs and Defendant, and in the deposition of Plaintiff, Aubrey B. Stacy, taken in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or

communication(s) took place; (c) the identity of each person present during such discussion(s) or communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I attached a copy of the forfeiture calculation to my previous answers.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or

defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

I am aware, through counsel, that Defendant has subpoenaed Lisa Cregan, Gill Saenz, Pat Mendenhall, and John Ellspermann to testify in this case and that Defendant is going to depose Pat Mendenhall and John Ellspermann and that it is likely that these depositions will produce documents or information that Plaintiffs may use in this action and in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. With regard to Lisa Cregan, who has been interviewed by Plaintiffs' counsel Brian Bro preparatory for her deposition, Defendant has recently made a decision not to depose her and is instead going to interview Lisa Cregan and prepare a declaration for her to sign. If Plaintiffs' counsel believes that the UBS declaration is incomplete, counsel believe that Lisa Cregan will also sign a declaration prepared by Plaintiffs' counsel to make her declaration complete. With regard to Gil Saenz, who probably also has information about PartnerPlus, Defendant has recently said that it was not at the present time going to depose Gil Saenz.

Plaintiffs' counsel is aware that William Finnegan, who works for Morgan Stanley, who used to be a branch manager in The Woodlands, Texas, received all of his PartnerPlus monies and was not required to sign a standard covenant not to compete to get all of his PartnerPlus monies. Such counsel are also aware, that Louie Poulin, a former UBS branch manager in New York, probably also received all of his PartnerPlus monies, without having to sign a covenant not to compete and that Jonathan Heller, a former UBS branch manager in Pittsburgh, Pennsylvania, received all of his PartnerPlus monies after signing a covenant not to compete, but was allowed to compete with Defendant as if he had not signed a covenant not to compete, after being told that "he was part of a special group that were being terminated by Defendant, who did not have to sign covenants not to compete to get all of their PartnerPlus monies and that even if they had signed covenants not to compete, they could compete with UBS because their termination was not their fault because of a change in UBS firm strategy."

The business address and telephone numbers of the individuals identified are as follows:

a. William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

b. Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

c. Louie Poulin
New York, New York

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. Plaintiffs' counsel is aware that Mr. Levitan made multiple

admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced by Plaintiffs' concurrently with these Amended Answers. Also, Mark T. Eddingston has testified in this action and Aubrey B. Stacy has testified in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action to admissions or statements against interest of Defendant. Additionally, Defendant's officers, agents, managers, or employees dealing with William Finnegan, Jonathan G. Heller, and Louis Poulin probably made admissions or declarations against interest, but discovery regarding this matter is incomplete and neither me, nor Plaintiffs' counsel, currently know who these people were or exactly what they said.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify themselves and the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Accounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

(w) William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

(x) Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

(y) Louie Poulin
New York, New York

(z) Patrick Mendenhall
USCA Securities, LLC
1330 Post Oak Boulevard, Suite 900
Houston, Texas 77056

(aa) Frank Moroni
118 Gale
River Forest, Illinois 60305

(ab) John Ellspermann
4520 Main Street, 8th Floor
Kansas City, Missouri 64111

(ac) Frank Roccisano
Morgan Stanley
4969 US Highway 42
Louisville, Kentucky 40222
502-394-4030

(ad) Jean Neustadt
1330 Post Oak Blvd.
Houston, Texas 77056

(ae) P. Charles Eldemire
8333 Douglas Avenue, Suite 400
Dallas, Texas 75225

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

I declare under penalty of perjury that the foregoing first amended answers to first and second sets of interrogatories propounded by Defendant is true and correct.

5/17/2013
Date

Elridge Nicholas Bollich
Elridge Nicholas Bollich

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME APPEARED MR. ELRIDGE NICHOLAS BOLLICH TO EXECUTED THIS LEGAL DOCUMENT, ON MAY 16TH, 2013.

Barrie Beth Nimitz
NOTARY PUBLIC FOR STATE OF TEXAS

BARRIE BETH NIMITZ
Notary Public
STATE OF TEXAS
My Comm. Exp. August 5, 2014

Respectfully submitted,

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104 East Houston Street, Suite 300
Marshall, Texas 75670
(903) 923-9000; (903) 923-9099 (telecopy)

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 17th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

Eugene Scalia escalia@gibsondunn.com
Paul Blankenstein pblankenstein@gibsondunn.com
Gibson Dunn
1050 Connecticut Avenue, NW
Washington, D.C. 20036-5306

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Deborah S. Davidson ddavidson@morganlewis.com
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77 West Wacker Drive
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101 Park Avenue
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1717 Main Street
Dallas, Texas 75201

Lawrence Augustine Phillips larryphillips@siebman.com
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300 North Travis Street
Sherman, Texas 75090

Michael C. Smith michaelsmith@siebman.com
Siebman, Burg, Phillips & Smith, LLP
113 East Austin Street
Marshall, Texas 75671

Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MARK T. EDDINGSTON,	§	
JEFFERY M. DAVIS,	§	
ELRIDGE NICHOLAS BOLLICH,	§	
and RAY A. COX	§	
	§	
Plaintiffs,	§	Civil Action No. 2:12-CV-00422
	§	
v.	§	
	§	
UBS FINANCIAL SERVICES, INC.,	§	
	§	
Defendant.	§	**JURY TRIAL DEMANDED**

PLAINTIFF, RAY A. COX'S, FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Ray A. Cox, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and, where indicated below, provided input based on information and documents of which counsel for Plaintiffs have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Morgan Stanley
680 Biddle Road
Medford, Oregon 97504
541-779-5010

I was formerly a financial advisor of Defendant, between March 1993 and January 2010, and am currently employed by Morgan Stanley. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of certain amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action, including Defendant's characterization of the Plan as a retirement plan. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. Plaintiffs' counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and other documents produced by Defendant in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action. Plaintiffs' counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint and the subject matter of this action identified in documents produced by other Plaintiffs and Defendant, and in the deposition of Plaintiff, Aubrey B. Stacy, taken in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I attached a copy of the forfeiture calculation to my previous answers.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

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I am aware, through counsel, that Defendant has subpoenaed Lisa Cregan, Gill Saenz, Pat Mendenhall, and John Ellspermann to testify in this case and that Defendant is going to depose Pat Mendenhall and John Ellspermann and that it is likely that these depositions will produce documents or information that Plaintiffs may use in this action and in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. With regard to Lisa Cregan, who has been interviewed by Plaintiffs' counsel Brian Bro preparatory for her deposition, Defendant has recently made a decision not to depose her and is instead going to interview Lisa Cregan and prepare a declaration for her to sign. If Plaintiffs' counsel believes that the UBS declaration is incomplete, counsel believe that Lisa Cregan will also sign a declaration prepared by Plaintiffs' counsel to make her declaration complete. With regard to Gil Saenz, who probably also has information about PartnerPlus, Defendant has recently said that it was not at the present time going to depose Gil Saenz.

Plaintiffs' counsel is aware that William Finnegan, who works for Morgan Stanley, who used to be a branch manager in The Woodlands, Texas, received all of his PartnerPlus monies and was not required to sign a standard covenant not to compete to get all of his PartnerPlus monies. Such counsel are also aware, that Louie Poulin, a former UBS branch manager in New York, probably also received all of his PartnerPlus monies, without having to sign a covenant not to compete and that Jonathan Heller, a former UBS branch manager in Pittsburgh, Pennsylvania, received all of his PartnerPlus monies after signing a covenant not to compete, but was allowed to compete with Defendant as if he had not signed a covenant not to compete, after being told that "he was part of a special group that were being terminated by Defendant, who did not have to sign covenants not to compete to get all of their PartnerPlus monies and that even if they had signed covenants not to compete, they could compete with UBS because their termination was not their fault because of a change in UBS firm strategy."

The business address and telephone numbers of the individuals identified are as follows:

a. William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

b. Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

c. Louie Poulin
New York, New York

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. Plaintiffs' counsel is aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and

Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced by Plaintiffs' concurrently with these Amended Answers. Also, Mark T. Eddingston has testified in this action and Aubrey B. Stacy has testified in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action to admissions or statements against interest of Defendant. Additionally, Defendant's officers, agents, managers, or employees dealing with William Finnegan, Jonathan G. Heller, and Louis Poulin probably made admissions or declarations against interest, but discovery regarding this matter is incomplete and neither me, nor Plaintiffs' counsel, currently know who these people were or exactly what they said.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify themselves and the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Accounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

(w) William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-2177

(x) Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
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412-369-6800

(y) Louie Poulin
New York, New York

(z) Patrick Mendenhall
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(ad) Jean Neustadt
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Houston, Texas 77056

(ae) P. Charles Eldemire
8333 Douglas Avenue, Suite 400
Dallas, Texas 75225

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

I declare under penalty of perjury that the foregoing first amended answers to first and second sets of interrogatories propounded by Defendant is true and correct.

5-15-13
Date

Ray A. Cox

Respectfully submitted,

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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 17th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

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Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BILL HENDRICKS and AUBREY B. STACY,	§	
	§	
Plaintiffs,	§	
	§	
V.	§	Civil Action No. 2:12-CV-00606
	§	
UBS FINANCIAL SERVICES, INC.	§	
	§	
Defendant.	§	

PLAINTIFF, BILL HENDRICKS', FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Bill Hendricks, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and, where indicated below, provided input based on information and documents of which counsel for Plaintiffs have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Southwest Securities, Inc.
2804 Gateway Oaks Drive
Suite 100
Sacramento, California 95833
916-567-6600

I was formerly a branch manager of Defendant, between June 1986 and November 2008, and am currently employed by Southwest Securities, Inc. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Branch Managers (the "Plan") by the making of deferrals thereunder and then forfeiture of certain amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action, including Defendant's characterization of the Plan as a retirement plan. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. Plaintiffs' counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and other documents produced by Defendant in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. Plaintiffs' counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint and the subject matter of this action identified in documents produced by other Plaintiffs and Defendant, and in the deposition of Plaintiff, Mark T. Eddingston, taken in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or

communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those identified in my responses to Defendant's first and second set of requests for production and with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone with regard to Plaintiffs and e-mail communications with the following:

Mark J. Taylor
Ameriprise Financial Services
255 Shoreline Drive
Suite 400
Redwood City, California 94065
650-226-2112

Mike O'Connell
Morgan Stanley
1333 North California Blvd., Suite 133
Walnut Creek, California 94596
925-939-5100

No documents other than e-mail communications previously provided with regard to my responses to Defendant's first and second requests for production exist concerning such discussions.

Additionally, on or about May 7, 2013, I did speak with Lisa Cregan regarding Defendant's issuance of a subpoena to testify at a deposition in a civil action to Ms. Cregan.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action and those individuals referred to in my answer to Interrogatory No. 3.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I attached a copy of the forfeiture calculation to my previous answers.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

I am aware, through counsel, that Defendant has subpoenaed Lisa Cregan, Gill Saenz, Pat Mendenhall, and John Ellspermann to testify in this case and that Defendant is going to depose Pat Mendenhall and John Ellspermann and that it is likely that these depositions will produce documents or information that Plaintiffs may use in this action and in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. With regard to Lisa Cregan, who has been interviewed by Plaintiffs' counsel Brian Bro preparatory for her deposition, Defendant has recently made a decision not to depose her and is instead going to interview Lisa Cregan and prepare a declaration for her to sign. If Plaintiffs' counsel believes that the UBS declaration is incomplete, counsel believe that Lisa Cregan will also sign a declaration prepared by Plaintiffs' counsel to make her declaration complete. With regard to Gil Saenz, who probably also has information about PartnerPlus, Defendant has recently said that it was not at the present time going to depose Gil Saenz.

Plaintiffs' counsel is aware that William Finnegan, who works for Morgan Stanley, who used to be a branch manager in The Woodlands, Texas, received all of his PartnerPlus monies and was not required to sign a standard covenant not to compete to get all of his PartnerPlus monies. Such counsel are also aware, that Louie Poulin, a former UBS branch manager in New York, probably also received all of his PartnerPlus monies, without having to sign a covenant not to compete and that Jonathan Heller, a former UBS branch manager in Pittsburgh, Pennsylvania, received all of his PartnerPlus monies after signing a covenant not to compete, but was allowed to compete with Defendant as if he had not signed a covenant not to compete, after being told that "he was part of a special group that were being terminated by Defendant, who did not have to sign covenants not to compete to get all of their PartnerPlus monies and that even if they had signed covenants not to compete, they could compete with UBS because their termination was not their fault because of a change in UBS firm strategy."

The business address and telephone numbers of the individuals identified are as follows:

a. William Finnegan
Morgan Stanley
5051 Westheimer, 20 & 21 Floors
Houston, Texas 77056
713-966-217

b. Jonathan G. Heller
Cambridge Investment Research, Inc.
908 Perry Highway, Suite 1
Pittsburgh, Pennsylvania 15229
412-369-6800

c. Louie Poulin
New York, New York

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to

Interrogatory No. 5. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. Plaintiffs' counsel is aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced by Plaintiffs' concurrently with these Amended Answers. Also, Aubrey B. Stacy has testified in this action and Mark T. Eddingston has testified in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action to admissions or statements against interest of Defendant. Additionally, Defendant's officers, agents, managers, or employees dealing with William Finnegan, Jonathan G. Heller, and Louis Poulin probably made admissions or declarations against interest, but discovery regarding this matter is incomplete and neither me, nor Plaintiffs' counsel, currently know who these people were or exactly what they said.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify themselves and the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Accounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
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(m) Craig Sheets, Senior Accounting Associate
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(n) Jeff Welte, Senior Implementation Project Manager
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(q) Nicola Harrell, Director, Implementation and Conversions
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(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
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(u) Laura E. Simmons, Ph.D., Senior Advisor
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(v) Alan M. Johnson
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(w) William Finnegan
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Cambridge Investment Research, Inc.

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412-369-6800

(y) Louie Poulin
New York, New York

(z) Patrick Mendenhall
USCA Securities, LLC
1330 Post Oak Boulevard, Suite 900
Houston, Texas 77056

(aa) Frank Moroni
118 Gale
River Forest, Illinois 60305

(ab) John Ellspermann
4520 Main Street, 8th Floor
Kansas City, Missouri 64111

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Morgan Stanley
4969 US Highway 42
Louisville, Kentucky 40222
502-394-4030

(ad) Jean Neustadt
1330 Post Oak Blvd.
Houston, Texas 77056

(ae) P. Charles Eldemire
8333 Douglas Avenue, Suite 400
Dallas, Texas 75225

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

I declare under penalty of perjury that the foregoing first amended answers to first and second sets of interrogatories propounded by Defendant is true and correct.

May 16, 2013
Date

Bill Hendricks

Respectfully submitted,

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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 17th day of May, 2013 as follows:

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